IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 489 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? - : NO

2. To be referred to the Reporter or not? - :

3. Whether Their Lordships wish to see the fair copy of the judgement? - : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? - : NO

5. Whether it is to be circulated to the Civil Judge? - : NO

BHAVSINGHJI D RATHOD

Versus

STATE OF GUJARAT

Appearance:

MR JB DASTOOR for Petitioner

MR LR PUJARI A.P.P. for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 21/06/2000

ORAL JUDGEMENT

Rule. Heard learned counsel for the parties.

2. The petitioner was on earlier occasion allowed to be operated at Astha Surgical Hospital under police protection. He was allowed to go with the police escort and he was given all throughout police protection till he

discharged from the hospital by this Court vide order dated 19-5-2000.

3. Learned counsel for the petitioner states that some complications have arisen and hence the petitioner is required to be operated again.

3. In the facts and circumstances of this case, this petition is allowed and the petitioner is allowed to go to Hospital for medical examination and check up under police escort. In case, after medical examination the Doctor of Astha Surgical Hospital finds that the petitioner is required to be operated in that event the petitioner will be admitted in the hospital as an indoor patient for the requisite period under police protection and thereafter he will be taken back to the custody of jail authority. The petitioner will remain all throughout under police protection at his own costs.

4. Only one attendant shall be permitted to meet and see the petitioner - prisoner.

5. Rule is made absolute to the aforesaid extent.

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/JVSatwara/